

SENATE BILL REPORT

SB 5800

As Reported by Senate Committee On:
Transportation, February 24, 2011

Title: An act relating to authorizing the use of modified off-road motorcycles on public roads.

Brief Description: Authorizing the use of modified off-road motorcycles on public roads.

Sponsors: Senators King, Haugen and Shin.

Brief History:

Committee Activity: Transportation: 2/23/11, 2/24/11 [DPS, w/oRec].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5800 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; White, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Eide, Hill, Hobbs, Litzow, Nelson, Prentice, Ranker, Sheldon, Shin and Swecker.

Minority Report: That it be referred without recommendation.

Signed by Senator Ericksen.

Staff: Katherine Taylor (786-7434)

Background: Currently, Washington State law does not permit the conversion of off-road motorcycles for on-street use.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): A person may operate an off-road motorcycle upon a public road, street, or highway in Washington, if the person complies with the following requirements:

- file a motorcycle use declaration, in which the Department of Licensing (DOL) certifies conformance with all applicable federal motor vehicle safety standards and state standards;
- obtain and have in full force and effect a current and proper off-road vehicle (ORV) registration or temporary ORV use permit;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- obtain a valid driver's license and motorcycle endorsement issued to Washington residents; and
- install various outlined motorcycle components, if not already present on the off-road motorcycle.

An off-road motorcycle is defined. In order to be registered for on-road use, an off-road motorcycle must travel on two wheels with a seat designed to be straddled by the operator and have handlebar-type steering control.

DOL must establish a declaration, which must be submitted by an off-road motorcycle owner when applying for on-road registration of an off-road motorcycle. The declaration must include the following:

- documentation of a safety inspection conducted by a licensed dealership or repair shop;
- documentation that the licensed dealership or repair shop did not charge more than \$100 for the inspection, all of which goes to the dealership or repair shop;
- verification of the vehicle identification number; and
- a release signed by the owner that releases the state from liability.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute as Passed Committee): The licensed dealership or repair shop may not charge more than \$100 for the safety inspection.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2012.

Staff Summary of Public Testimony on Proposed Substitute as Heard in Committee:
PRO: People in the off-road motorcycle community want to ride on-road legally, and similar programs have worked well in other states. This act helps off-road users connect to trails and non-public roads, increases money spent at stores and restaurants during off to on-road motorcycle trips, increases fees for the state; off-road motorcycles have more efficient gas use; the fiscal impact is not too high; and it benefits the motorcycle recreation community.

OTHER: Increase the fee for safety inspections and fenders should not be required on off-road to on-road motorcycles.

Persons Testifying: **PRO:** Daniel Huff, Yakima Valley Dust Dodgers Motorcycle & ATV Club; John Keates, Washington Off Highway Vehicle Alliance; Tod Petersen, Washington State Motorsports Dealer Association; Larry Walker, Washington Road Riders Association.

OTHER: Jason Berry, Washington State Patrol.